

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BYTEMARK, INC.,

Plaintiff,

-against-

XEROX CORP., ACS TRANSPORT
SOLUTIONS, INC., XEROX
TRANSPORT SOLUTIONS, INC.,
CONDUENT INC., and NEW JERSEY
TRANSIT CORP.

Defendants.

ORDER

17 Civ. 1803 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

As stated on the record during today's conference, the parties are directed to file a revised case management plan and joint letter by **January 28, 2022**.

The parties' joint letter should address the following: (1) a brief description of the case, including the factual and legal bases for the claims and defenses; (2) the status of discovery; (3) any disputes with regards to the case management plan; (4) any contemplated motions; and (5) the prospect for settlement.

In light of the Court's finding that Defendants did not demonstrate – in opposing the motion to amend – that Plaintiff had engaged in inequitable conduct (Dkt. No. 147), Defendants are directed to state whether they agree to the dismissal of their Twelfth Affirmative Defense and Counterclaim V. (See Dkt. Nos. 141-42) Defendants' statement should be included in the parties' joint letter.

Dated: New York, New York
January 21, 2022

SO ORDERED.



Paul G. Gardephe
United States District Judge